

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NAMAT TOFIQ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

CASE NO. 2:20-cv-01780-JRC

ORDER ON STIPULATED  
MOTION FOR EQUAL ACCESS  
TO JUSTICE ACT FEES

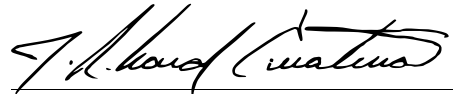
This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Magistrate Judge Rule MJR 13. *See* Consent to Proceed Before a United States Magistrate Judge, Dkt. 2. This matter is before the Court on plaintiff’s motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412 (“EAJA”). *See* Dkt. 17. The motion is stipulated. *Id.*

Ordinarily, a request for EAJA fees should be accompanied by a declaration that plaintiff’s net worth did not exceed \$2,000,000 at the time the action was filed. 28 U.S.C. § 2412(d)(2)(B). However, the Court previously granted plaintiff’s *in forma pauperis* application in this matter. *See* Dkt. 4. Therefore, based on the EAJA, the stipulation of the parties, the

1 attorney declaration and time and expense itemizations (Dkt. 18), and the relevant record, it is  
2 hereby ORDERED that EAJA attorney's fees of \$6,148.96 shall be awarded to plaintiff pursuant  
3 to the EAJA and consistent with *Astrue v. Ratliff*, 560 U.S. 586, 588–89 (2010).

4 The Commissioner shall contact the Department of Treasury after the Order for EAJA  
5 fees is entered to determine if the EAJA fees are subject to any offset. If it is determined that  
6 plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the  
7 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Tha Win,  
8 based on plaintiff's assignment of these amounts to plaintiff's attorney. *See* Dkt. 17-2. If there is  
9 an offset, the remainder shall be made payable to plaintiff, based on the practice of the  
10 Department of the Treasury. *See, e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4. Any check for EAJA  
11 fees shall be mailed to plaintiff's counsel, Tha Win, at 606 Maynard Ave. South, Suite 201,  
12 Seattle, WA 98104.

13 Dated this 1st day of December, 2021.

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16 J. Richard Creatura  
17 Chief United States Magistrate Judge  
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